

### **REMARKS**

Upon entry of this amendment, claim 19 will be pending in the application. Claims 1-18, 20-43, and 45-46 are canceled herein. Claim 19 is amended herein. Support for the amendments to claim 19 can be found throughout the specification as-filed, *e.g.*, at least in original claim 18. Thus, no new matter is added.

#### **Allowable subject matter**

Applicants note with appreciation that the Examiner has indicated that claim 19 is free of the prior art, and would be allowable if re-written in independent form. *See*, Office Action at page 5.

#### **Objections under 37 CFR § 1.75(c)**

Claim 19 is objected to under 37 C.F.R. § 1.75(c), as being of improper dependent form for failing to further limit the subject matter of previous claim 18. *See*, Office Action at page 2.

Claim 18 is canceled herein. Claim 19, as amended herein, is an independent claim that requires a peptide consisting of the amino acid sequence set forth in SEQ ID NO: 1, wherein the peptide binds to a human major histocompatibility complex class I A molecule. As claim 19 is amended to be in independent format, this rejection is moot and should be withdrawn.

#### **35 USC § 112, first paragraph, written description**

Claims 18 is rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. *See*, Office Action at page 3. According to the Examiner, the specification and the claims as originally filed do not provide support for an isolated hTERT peptide “50 amino acids in length that binds to a human major histocompatibility complex class IA molecule”, wherein the peptide comprises SEQ ID NO:1. *See*, Office Action at page 3.

Claim 18 is canceled herein. As such, Applicants submit that this rejection is moot and should be withdrawn.

#### **35 USC § 112, first paragraph, enablement**

Claim 18 is rejected under 35 U.S.C. § 112, first paragraph for lack of enablement. *See*, Office Action at page 3. According to the Examiner, it is well known that the structure of MHC

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**U.S.S.N.:** 09/830,400

class I molecules allows binding of peptides between 8 and 10 amino acids in length, and it would require undue experimentation to make and use peptides of 50 amino acids in length that bind to MHC class IA molecules. *See*, Office Action at page 4.

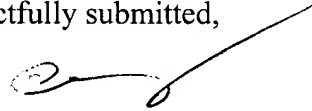
Claim 18 is canceled herein. Thus, Applicants submit that this rejection is moot and should be withdrawn.

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**CONCLUSION**

On the basis of the foregoing amendments and remarks, Applicants submit the pending claims are in condition for allowance. Such action is respectfully requested. The Commissioner is authorized to charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 20363-015 NATL.

Respectfully submitted,



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